

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

RYAN DRIGGINS,	)	
	)	CASE NO. 1:14cv919
Petitioner,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
WARDEN LAZAROFF,	)	
	)	<b><u>MEMORANDUM OF OPINION AND</u></b>
Respondent.	)	<b><u>ORDER</u></b> [Regarding <a href="#">ECF No. 14</a> ]

*Pro se* Petitioner Ryan Driggins filed a Petition for a Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254](#) that asserted nineteen grounds for relief. [ECF No. 1](#). Respondent Warden Alan Lazaroff<sup>1</sup> filed a Return of Writ. [ECF No. 10](#). The case was referred to Magistrate Judge Kathleen B. Burke for preparation of a report and recommendation pursuant to [Local Rule 72.2\(b\)\(2\)](#). On September 28, 2015, the magistrate judge submitted a report and recommendation ([ECF No. 14](#)) recommending that the petition be dismissed in part and denied in part because a portion of Ground Five is procedurally defaulted, a portion of Ground Nineteen is not cognizable, and the remainder of Petitioner's grounds fail on the merits.

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Objections to the magistrate judge's report were, therefore,

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<sup>1</sup> The caption also lists Respondent as "Warden Lazaroff," but the correct spelling and appellation is "Alan Lazaroff, Warden." [ECF No. 10](#).

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due on October 15, 2015.<sup>2</sup> Petitioner has not filed any objections to the magistrate judge's report and recommendation. Any further review by the Court would be a duplicative and inefficient use of the Court's limited resources. [\*Thomas v. Arn\*, 728 F.2d 813 \(6th Cir. 1984\)](#), *aff'd*, [474 U.S. 140 \(1985\)](#); [\*Howard v. Sec'y of Health and Human Servs.\*, 932 F.2d 505 \(6th Cir. 1991\)](#); [\*United States v. Walters\*, 638 F.2d 947, 949–50 \(6th Cir. 1981\)](#).

Accordingly, the Court hereby adopts the magistrate judge's Report and Recommendation. The Petition for a Writ of Habeas Corpus ([ECF No. 1](#)) is dismissed in part and denied in part. The Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. [28 U.S.C. § 2253\(c\)](#); [Fed. R. App. P. 22\(b\)](#).

IT IS SO ORDERED.

October 27, 2015  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge

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<sup>2</sup> Under [Fed. R. Civ. P. 6\(d\)](#), three days must be added to the fourteen-day time period because Petitioner was served the Magistrate Judge's Report by mail. See [Thompson v. Chandler](#), 36 F. App'x. 783, 784 (6th Cir. 2002).